



**MERAFONG CITY LOCAL MUNICIPALITY
DELEGATION OF POWERS POLICY**

	serious financial problem in the Municipality			
137(1)(d) MFMA	Participating in consultations with the MEC for local government regarding the Municipality's co-operation in resolving any financial problem, and if applicable, implementing the financial recovery plan	Executive Mayor	Accounting Officer	
138(1)(b) MFMA	Participating in consultations with the MEC for local government regarding the Municipality's co-operation in implementing the recovery plan, including the approval of a budget and legislative measures giving effect to the recovery plan	Executive Mayor	Accounting Officer	
139(2) MFMA	Receiving a request made by the provincial administration to the Municipal Financial Recovery Service to determine the reasons for the crisis in the Municipality's financial affairs, to assess the Municipality's financial state and to prepare an appropriate recovery plan for the Municipality	Executive Mayor	Accounting Officer	



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CHAPTER 6: POWERS OF STRATEGIC EXECUTIVES (INCLUDING THE CFO and COO)

1. Strategic Executives (including the CFO and the COO CHAPTER 2: POWERS OF THE COUNCIL) general powers delegated by the Accounting Officer over and above those powers specifically delegated to each one of them

The powers set out hereunder are delegated by the Accounting Officer to the Strategic Executives and Chief Operating Officer

SECTION IN ACT	CHAPTER 6: POWERS OF STRATEGIC EXECUTIVES (INCLUDING THE CFO and COO) GENERAL POWERS DELEGATED BY THE ACCOUNTING OFFICER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
32(4)(a) MFMA	Identifying the person responsible, or suspected of being responsible, for unauthorised, irregular or fruitless and wasteful expenditure	Accounting Officer	All SE's	In consultation with the SE Support Services
32(4)(b) MFMA	Determining the steps to be taken to recover or rectify any unauthorised, irregular or fruitless and wasteful expenditure incurred by the Municipality as reported in S. 4(a)	Accounting Officer	COO, Internal Audit	In consultation with the SE Support Services
32(4)(c) MFMA	Determining the steps to be taken to prevent the recurrence of unauthorised, irregular or fruitless and wasteful expenditure by the Municipality	Accounting Officer	In consultation with COO, Manager Internal Audit	In consultation with the SE Support Services
62(1)(a) MFMA	Deciding the reasonable steps to be taken to ensure that the resources of the Municipality are used effectively, efficiently and economically	Accounting Officer	To all SE's	In consultation with SE Support Services
62(1)(c)(ii) MFMA	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains effective, efficient and transparent systems of internal audit operating in accordance with any prescribed norms and standards	Accounting Officer	In consultation with COO, Manager Internal Audit	In consultation with the CFO
62(1)(d) MFMA	Deciding the reasonable steps to be taken to ensure that unauthorised, irregular or fruitless and wasteful expenditure and other losses are prevented	Accounting Officer	All SE's	In consultation with the CFO
62(1)(e) MFMA	Deciding the reasonable steps to be taken to ensure that disciplinary or, when appropriate, criminal proceedings are instituted against any official of the Municipality who has allegedly committed an act of financial misconduct or an offence in terms of Chapter 15 of the MFMA	Accounting Officer	All SE's	In consultation with SE Support Services & CFO
65(2)(i) MFMA	Deciding the reasonable steps to be taken to ensure that the Municipality's supply chain management policy is implemented in a way that is fair, equitable, transparent, competitive and cost-effective	Accounting Officer	CFO	In consultation with the SE Support Services
115(1)(b) MFMA	Determining the reasonable steps that must be taken to ensure that proper mechanisms and separation of duties in the supply chain management system are in place to minimize the likelihood of fraud, corruption, favoritism and unfair and irregular practices	Accounting Officer	COO and Internal Audit	In consultation with



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116(2)(a) MFMA	Determining the reasonable steps that must be taken to ensure that a contract or agreement procured through the supply chain management policy of the Municipality is properly enforced	Accounting Officer	COO and Internal Audit	In consultation with
116(2)(b) MFMA	Monitoring the performance of a contractor under a contract or an agreement with the Municipality on a monthly basis	Accounting Officer	Managers	In consultation with SE Support Service and Manager Legal
116(2)(c) i MFMA	Establishing the capacity in the Municipality's administration to assist the Accounting Officer to enforce the provisions of a contract or agreement between the Municipality and a contractor and to monitor the performance of a contractor under a contract or an agreement with the Municipality on a monthly basis	Accounting Officer	Managers SE	In consultation with the SE Support Services
116(2)(c) ii MFMA	To monitor the performance of a contractor under a contract or an agreement with the Municipality on a monthly basis	Accounting Officer	All SE's	
116(2)(d) MFMA	Regularly report to the Council regarding the management of contracts and/or agreements and the performance of contractors.	Accounting Officer	Managers	In consultation with the SE Support Services



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2. CFO statutory powers

The powers set out hereunder are assigned to the CFO in terms of the legislation as indicated in column 1, and reserved for his execution in accordance with his decision, and he may take a decision in respect of these matters with or without consulting any person

SECTION IN ACT	CHAPTER 6: POWERS OF STRATEGIC EXECUTIVES (INCLUDING THE CFO & COO): CFO STATUTORY POWERS	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
81(1)(b) MFMA	Advising the Accounting Officer on the exercise of powers and duties assigned to her/him in terms of the MFMA	CFO	None	
81(1)(c) MFMA	Assisting the Accounting Officer in administering the Municipality's bank accounts and in the preparation and implementation of the Municipality's budget	CFO	None	
81(1)(d) MFMA	Advising senior managers and other senior officials in the exercise of powers and duties assigned or delegated to them	CFO	None	
82(4) MFMA	Reviewing and confirming, varying or revoking any decision taken in consequence of a sub-delegation by the Chief Financial Officer	CFO	None	



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3. CFO powers delegated by the Accounting Officer

The powers set out hereunder are delegated by the Accounting Officer to the CFO

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96 MSA 74 MSA 3 MPRA	To make and annually review all required financial policies, inter alia for: Credit Control and Debt Collection Policy Tariff Policy on levying of fees for municipal services Rates Policy on the levying of rates on rateable property	Accounting Officer	CFO		In consultation with SE Support Services
98 MSA 75 MSA 6 MPRA	To make applicable by-laws to give effect to the implementation and enforcement of the financial policies, and obtain Council approval inter alia for: Credit Control and Debt Collection By-laws Tariff By-laws Property Rates By-laws	Accounting Officer	CFO		In consultation with SE Support Services
	To implement and enforce all the municipality's financial policies and applicable by-laws, and to use all available processes to collect moneys owed to the Council in terms of a contract, legislation, court order, decision of the Council or any other legal basis	Accounting Officer	CFO		
	To obtain an interim property valuation from the Council's appraisers as and when the need arise, in respect of any property within the municipal area	Accounting Officer	CFO		
	To commence with a legal process on behalf of Council in respect of the recovering of any money owed to the Council for whatever reason and in any court which has jurisdiction, with the inclusion of the signing of all necessary documents in this regard. This includes the power to instruct the Council's attorneys and an advocate when necessary, to act on behalf of Council in such cases	Accounting Officer	CFO		
	To issue a clearance certificate, which certifies that the rates, fees, amounts and interest in respect of a certain property in the municipal area, have been paid to the Council as required	Accounting Officer	CFO		



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	by the applicable legislation				
	To claim from and make payments to professional persons or firms	Accounting Officer	CFO		
	To approve the attendance by officials in the directorate of meetings, workshops, seminars, conferences, congresses and similar events and special visits which are in the interest of the Council and which are to be conducted within the boundaries of the Republic of South Africa : Provided that the necessary funds are available	Accounting Officer	CFO		
60(2) MSA	The decision to make investments on behalf of the municipality	Accounting Officer	CFO		In consultation with the Accounting Officer
8(3) MFMA	Determining the reasonable steps to be taken to ensure that the prescribed money received is paid into the Municipality's primary bank account	Accounting Officer	CFO		
8(5) MFMA	Submission of the Municipality's primary bank account details, and any impending change thereof	Accounting Officer	CFO	Manager : Expenditure	
9(a) MFMA	Submission of the prescribed details regarding any new bank accounts opened for the Municipality	Accounting Officer	CFO	Manager : Expenditure	
9(b) MFMA	Submission of the details of the Municipality's bank accounts annually before the start of a financial year	Accounting Officer	CFO	Manager : Expenditure	
10(1)(a) MFMA	Administration of the Municipality's bank accounts	Accounting Officer	CFO	Manager : Budget & Treasury	
10(2) MFMA	Enforcing compliance with sections 7, 8 and 11 of the MFMA	Accounting Officer	CFO		
11(1) MFMA	Authorising staff to withdraw or authorise the withdrawal of money from the Municipality's bank account	Accounting Officer	CFO		
11(4)(a) MFMA	Preparation of a quarterly consolidated report of all withdrawals made in terms of section 11(1)(b) to (i) of the MFMA from the Municipality's bank accounts	Accounting Officer	CFO	Manager : Expenditure	A quarterly consolidated report of all withdrawals made from the Municipality's bank accounts must be tabled in the Council, and submitted to the provincial treasury and the Auditor-General within 30 days after the end of each



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11(4)(a) MFMA	Tabling of a quarterly consolidated report of all withdrawals made in terms of section 11 (1)(b) to (j) of the MFMA from the Municipality's bank accounts in the Council	Accounting Officer	CFO		quarter.
11(4)(b) MFMA	Submission of quarterly consolidated report of all withdrawals made in terms of section 11 (1)(b) to (j) of the MFMA to the provincial treasury and the Auditor-General	Accounting Officer	CFO		
12(4) MFMA	Issuing written authority to withdraw money without appropriation in terms of an approved budget from a bank account opened for the purpose of a relief, charitable, trust or other fund	Accounting Officer	CFO		Such authorisation must be in accordance with decisions of the Council in this regard and only for the purposes for which, and subject to the conditions on which, the fund was established or the money in the fund was donated
24(3) MFMA	Submission of the approved annual budget to the National Treasury and the provincial treasury	Accounting Officer	CFO	Manager : Budget & Treasury	
31(c) MFMA	Issuing a certificate specifying that actual revenue for the financial year concerned is expected to exceed budgeted revenue and that sufficient funds are available for exceeding the amount appropriated for a specific capital programme without incurring further borrowing beyond the annual budget limit	Accounting Officer	CFO	Manager : Budget & Treasury	Funds for the programme in question should have been appropriated for more than one financial year
32(2) MFMA	Determining the amount of unauthorised, irregular or fruitless and wasteful expenditure to be recovered, written off or provided for in an adjustments budget	Accounting Officer	CFO		In consultation with SE Support Services
32(4) MFMA	Deciding whether an expenditure incurred by the Municipality was unauthorised, irregular or fruitless and wasteful expenditure	Accounting Officer	CFO		Strategic Executives and Managers to exercise power in divisions
32(4) MFMA	Determining the amount of any unauthorised, irregular or fruitless and wasteful expenditure incurred by the Municipality	Accounting Officer	CFO		Strategic Executives and Managers to exercise power in divisions
32(4) MFMA	Identifying the person responsible, or suspected of being responsible, for unauthorised, irregular or fruitless and	Accounting Officer	CFO		Strategic executives and Managers to exercise power



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	wasteful expenditure				in divisions
32(4) MFMA	Determining the steps to be taken to recover or rectify any unauthorised, irregular or fruitless and wasteful expenditure incurred by the Municipality	Accounting Officer	CFO		Strategic Executives and Managers to exercise power in divisions
32(4) MFMA	Determining the steps to be taken to prevent the recurrence of unauthorised, irregular or fruitless and wasteful expenditure by the Municipality	Accounting Officer	CFO		Strategic Executives and Managers to exercise power in divisions
32(4) MFMA	Informing the Executive Mayor, the MEC for local government and the Auditor-General, in writing, of any unauthorised, irregular or fruitless and wasteful expenditure incurred by the Municipality, whether any person is responsible or under investigation for such unauthorised, irregular or fruitless and wasteful expenditure and the steps that have been taken to recover or rectify such expenditure and to prevent a recurrence of such expenditure.	Accounting Officer	CFO		
37(2) MFMA	Determining the projected amount of any allocation proposed to be transferred to another municipality during each of the next three financial years and notifying the receiving municipality thereof	Accounting Officer	CFO		Such notification must be given on or before 2 April each year
45(2)(b) MFMA	Signing a debt agreement or other document which creates or acknowledges any short-term debt	Accounting Officer	CFO		
46(2)(b) MFMA	Signing a debt agreement or other document which creates or acknowledges any long-term debt	Accounting Officer	CFO		
60(b)(i) MFMA	Determining the nature, extent and manner of providing guidance and advice on compliance with the MFMA to the political structures, political office-bearers and officials of the Municipality and any municipal entity under the sole or shared control of the Municipality	Accounting Officer	CFO		
61(1)(b) MFMA	Deciding to disclose to the Council and the Executive Mayor all material facts which are available or reasonably discoverable, and which in any way might influence the decisions or actions of the Council or the Executive Mayor	Accounting Officer	CFO		
61(1)(b) MFMA	Deciding the timing and manner of disclosing to the Council and the Executive Mayor all material facts which are available	Accounting Officer	CFO		



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	or reasonably discoverable, and which in any way might influence the decisions or actions of the Council or the Executive Mayor				
62(1)(b) MFMA	Deciding the reasonable steps to be taken to ensure that full and proper records of the Municipality's financial affairs are kept in accordance with any prescribed norms and standards	Accounting Officer	CFO	Manager : Budget & Treasury	
62(1)(c)(i) MFMA	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains effective, efficient and transparent systems of financial and risk management and internal control	Accounting Officer	CFO	Manager : Budget & Treasury & All Divisional Managers	
62(1)(f)(i) MFMA	Deciding the reasonable steps to be taken to ensure that the Municipality has and implements a tariff policy referred to in section 74 of the Municipal Systems Act	Accounting Officer	CFO	Manager : Income	
62(1)(f)(ii) MFMA	Deciding the reasonable steps to be taken to ensure that the Municipality has and implements a rates policy as required in terms of section 3 of the Property Rates Act	Accounting Officer	CFO	Manager : Income	In consultation with SE Support Services
62(1)(f)(iii) MFMA	Deciding the reasonable steps to be taken to ensure that the Municipality has and implements a credit control and debt collection policy referred to in section 96(b) of the Municipal Systems Act	Accounting Officer	CFO		In consultation SE Support Services
63(2)(a) MFMA	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains a management, accounting and information system that accounts for the assets and liabilities of the Municipality	Accounting Officer	CFO	Manager : Budget & Treasury	
63(2)(b) MFMA	Deciding the reasonable steps to be taken to ensure that the Municipality's assets and liabilities are valued in accordance with standards of generally recognised accounting practice	Accounting Officer	CFO	Manager : Budget & Treasury	
63(2)(c) MFMA	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains a system of internal control of assets and liabilities, including an asset and liabilities register, as may be prescribed	Accounting Officer	CFO	Manager : Budget & Treasury Manager : Budget & Treasury Manager : Budget & Treasury	
64(2)(a) MFMA	Deciding the reasonable steps to be taken to ensure that the Municipality has effective revenue collection systems	Accounting Officer	CFO	Manager : Income	



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	consistent with section 95 of the Municipal Systems Act and the Municipality's credit control and debt collection policy				
64(2)(b) MFMA	Deciding the reasonable steps to be taken to ensure that revenue due to the Municipality is calculated on a monthly basis	Accounting Officer	CFO	Manager : Income	
64(2)(c) MFMA	Deciding the reasonable steps to be taken to ensure that accounts for regional services council levies and charges for municipal services are prepared on a monthly basis, or less often as may be prescribed where monthly accounts are uneconomical	Accounting Officer	CFO	Manager : Income	
64(2)(d) MFMA	Deciding the reasonable steps to be taken to ensure that all money received is promptly deposited in accordance with the MFMA into the Municipality's primary and other bank accounts	Accounting Officer	CFO	Manager : Income	
64(2)(e) MFMA	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains a management, accounting and information system which recognises revenue when it is earned and accounts for debtors and for receipts of revenue	Accounting Officer	CFO	Manager : Income	
64(2)(f) MFMA	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains a system of internal control in respect of debtors and revenue	Accounting Officer	CFO	Manager : Income	
64(2)(g) MFMA	Deciding to grant exemptions from charging interest on any arrears owing to the Municipality in accordance with the Municipality's budget-related policies	Accounting Officer	CFO	Manager : Income	
64(2)(h) MFMA	Deciding the reasonable steps to be taken to ensure that all revenue received by the Municipality, including revenue received by any collecting agent on its behalf, is reconciled at least on a weekly basis	Accounting Officer	CFO	Manager : Income	
64(3) MFMA	Informing the National Treasury of any payments due by an organ of state to the Municipality in respect of municipal tax or for municipal services, if such payments are regularly in arrears for periods of more than 30 days.	Accounting Officer	CFO	Manager : Income	
64(4)(a) MFMA	Deciding the reasonable steps to be taken to ensure that any funds collected by the Municipality on behalf of another organ of state is transferred to that organ of state at least on a	Accounting Officer	CFO	Manager : Income Manager : Expenditure	



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	weekly basis				
64(4)(b) MFMA	Deciding the reasonable steps to be taken to ensure that funds collected by the Municipality on behalf of another organ of state are not used for purposes of the Municipality	Accounting Officer	CFO	Manager : Expenditure	
65(2)(a) MFMA	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains an effective system of expenditure control, including procedures for the approval, authorisation, withdrawal and payment of funds	Accounting Officer	CFO	Manager : Expenditure	
65(2)(b) MFMA	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains a management, accounting and information system which recognises expenditure when it is incurred and that accounts for creditors of, and payments made by, the Municipality	Accounting Officer	CFO	Manager : Supply Chain Manager : Expenditure	
65(2)(c) MFMA	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains a system of internal control in respect of creditors and payments	Accounting Officer	CFO	Manager : Supply Chain Manager : Expenditure	
65(2)(d) MFMA	Deciding the reasonable steps to be taken to ensure that payments by the Municipality are made directly to the person to whom it is due unless agreed otherwise for reasons as may be prescribed and either electronically or by way of non-transferable cheques	Accounting Officer	CFO	Manager : Expenditure	Cash payments and payments by way of cash cheques may be made for exceptional reasons only and only up to a prescribed limit
65(2)(e) MFMA	Deciding the reasonable steps to be taken to ensure that all money owing by the Municipality be paid within 30 days of receiving the relevant invoice or statement, unless prescribed otherwise for certain categories of expenditure	Accounting Officer	CFO	Manager : Supply Chain Manager : Expenditure	
65(2)(f) MFMA	Deciding the reasonable steps to be taken to ensure that the Municipality complies with its tax, levy, duty, pension, medical aid, audit fees and other statutory commitments	Accounting Officer	CFO	Manager : Expenditure	
65(2)(g) MFMA	Deciding the reasonable steps to be taken to ensure that any dispute concerning payments due by the Municipality to another organ of state is disposed of in terms of legislation regulating disputes between organs of state	Accounting Officer	CFO	Manager : Expenditure	
65(2)(h) MFMA	Deciding the reasonable steps to be taken to ensure that the Municipality's available working capital is managed effectively	Accounting Officer	CFO	Manager : Expenditure	



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	and economically in terms of the prescribed cash management and investment framework				
65(2)(j) MFMA	Deciding the reasonable steps to be taken to ensure that all financial accounts of the Municipality are closed at the end of each month and reconciled with its records	Accounting Officer	CFO	Manager : Expenditure	
66 MFMA	Reporting to the Council on all expenditure incurred by the Municipality on staff salaries, wages, allowances and benefits, and in a manner that discloses such expenditure per type of expenditure	Accounting Officer	CFO		
67(1) MFMA	Determining whether an organisation or body outside any sphere of government to whom funds of the Municipality stand to be transferred otherwise than in compliance with a commercial or other business transaction, (a) has the capacity to comply with any agreement with the Municipality, (b) for the period of the agreement to comply with all reporting, financial management and auditing requirements as may be stipulated in the agreement, (c) to report at least monthly to the Accounting Officer on actual expenditure against such transfer and to submit its audited financial statements for its financial year to the Accounting Officer promptly; (d) implements effective, efficient and transparent financial management and internal control systems to guard against fraud, theft and financial mismanagement; and (e) has in respect of previous similar transfers complied with all the requirements of section 67(1) of the MFMA	Accounting Officer	CFO		
67(2) MFMA	Obtaining the approval of the provincial treasury to transfer funds of the Municipality to an organisation or body outside any sphere of government otherwise than in compliance with a commercial or other business transaction if there has been a failure by an organisation or body to comply with the requirements of section 67(1) of the MFMA in respect of a previous transfer	Accounting Officer	CFO		



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67(3) MFMA	Determining the appropriate mechanisms to ensure compliance by an organisation or body outside any sphere of government to whom funds of the Municipality was transferred otherwise than in compliance with a commercial or other business transaction with – (a) any agreement with the Municipality; (b) for the period of the agreement to comply with all reporting, financial management and auditing requirements as may be stipulated in the agreement, to report at least monthly to the Accounting Officer on actual expenditure against such transfer and to submit its audited financial statements for its financial year to the Accounting Officer promptly; (d) implements effective, efficient and transparent financial management and internal control systems to guard against fraud, theft and financial mismanagement; and (e) has in respect of previous similar transfers complied with all the requirements of section 67(1) of the MFMA	Accounting Officer	CFO		
67(4) MFMA	Determining whether an organisation or body outside any sphere of government to whom funds of the Municipality stand to be transferred otherwise than in compliance with a commercial or other business transaction is an organisation or body serving the poor or used by government as an agency to serve the poor	Accounting Officer	CFO		
68(a) MFMA	Assisting the Executive Mayor in performing the budgetary steps assigned to the Executive Mayor	Accounting Officer	CFO	Manager : Budget & Treasury	
68(b) MFMA	Determining the administrative support, resources and information required by the Executive Mayor to perform the budgetary steps assigned to the Executive Mayor	Accounting Officer	CFO	Manager : Budget & Treasury	
69(1)(a) MFMA	Determining, in relation to implementing the Municipality's approved budget, the reasonable steps required to ensure that the spending of funds is in accordance with the budget and is reduced as necessary when revenue is anticipated to be less	Accounting Officer	CFO	Manager : Budget & Treasury	



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	than projected in the budget or in the service delivery and budget implementation plan				
69(1)(b) MFMA	Determining, in relation to implementing the Municipality's approved budget, the reasonable steps required to ensure that revenue and expenditure are properly monitored	Accounting Officer	CFO	Manager: Budget & Treasury	
69(2) MFMA	Determining whether it is necessary to prepare an adjustments budget	Accounting Officer	CFO	Manager: Budget & Treasury	
69(2) MFMA	Preparing an adjustments budget and submitting it to the Executive Mayor for consideration and tabling in the Council	Accounting Officer	CFO	Manager: Budget & Treasury	
69(3)(a) MFMA	Preparing and submitting, within 14 days after the approval of the Municipality's annual budget, a draft service delivery and budget implementation plan for the budget year	Accounting Officer	CFO	Manager: Budget & Treasury	
70(1) MFMA	Reporting in writing to the Council any impending shortfalls in budgeted revenue and overspending of the Municipality's budget and any steps taken to prevent or rectify such shortfalls or overspending	Accounting Officer	CFO	Manager: Budget & Treasury	
70(2) MFMA	Informing the National Treasury that the Municipality's bank account or, if the Municipality has more than one bank account, the consolidated balance in those bank accounts, shows a net overdrawn position for a period exceeding a prescribed period	Accounting Officer	CFO	Manager: Expenditure	
71(1) MFMA	Submitting to the Executive Mayor and the provincial treasury, within 10 working days after the end of each month, a statement in the prescribed format on the state of the municipality's budget	Accounting Officer	CFO	Manager: Budget & Treasury	The statement must contain the information referred to in section 71(1), (2) and (3) of the MFMA The statement submitted to the provincial treasury must be in the form of a signed and an electronic document
71(5) MFMA	Submitting to the national or provincial organ of state or municipality which transferred an allocation during any particular month to the Municipality within 10 working days after the end of the month concerned a statement indicating the amount of any allocations received and actual expenditure	Accounting Officer	CFO		



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	on those allocations, excluding expenditure on its share of the local government equitable share and allocations exempted by the annual Division of Revenue Act from compliance with this requirement				
72(3) MFMA	Determining whether it is necessary to recommend that an adjustments budget be considered and that revised projections for revenue and expenditure is necessary	Accounting Officer	CFO		
73(a) MFMA	Informing the provincial treasury of any failure by the Council to adopt or implement a budget-related policy or a supply chain management policy	Accounting Officer	CFO		
73(b) MFMA	Informing the provincial treasury of any non-compliance by a political structure or political office-bearer of the Municipality with a budget-related policy or the supply chain management policy	Accounting Officer	CFO		
74(1) MFMA	Submitting to the National Treasury, the provincial treasury, the department for local government and the Auditor-General such information, returns, documents, explanations and motivations as may be prescribed or as may be required.	Accounting Officer	CFO		
74(2) MFMA	Reporting his/her inability to comply with any of the responsibilities in terms of the MFMA, together with reasons, to the Executive Mayor and the provincial treasury	Accounting Officer	CFO		
77(1) MFMA	Deciding to designate any officials other than those listed in section 77(1)(a) to (c) of the MFMA as "top management"	Accounting Officer	CFO		
79(1)(b) MFMA	Delegating to a member of the Municipality's top management or any other official of the Municipality any of the powers or duties assigned to an accounting officer in terms of the MFMA or any powers or duties reasonably necessary to assist the accounting officer in complying with a duty which requires the accounting officer to take reasonable or appropriate steps to ensure the achievement of the aims of a specific provision of the MFMA	Accounting Officer	CFO		May not delegate to any political structure or political office beare:
79(1)(c) MFMA	Regularly reviewing delegations issued to a member of the Municipality's top management or any other official of the Municipality and, if necessary, amending or withdrawing any of	Accounting Officer	CFO		



**MERAFONG CITY LOCAL MUNICIPALITY
DELEGATION OF POWERS POLICY**

SECTION IN ACT	CHAPTER 6: POWERS OF STRATEGIC EXECUTIVES (INCLUDING THE CFO & COO): CFO POWERS DELEGATED BY THE ACCOUNTING OFFICER	DELEGATING AUTHORITY	DELEGATED BODY	SUB DELEGATION	CONDITIONS
	those delegations				
79(2) MFMA	Reviewing and confirming, varying or revoking any decision taken in consequence of a delegation or sub-delegation in terms of the MFMA	Accounting Officer	CFO		No variation or revocation of a decision taken under delegated powers may detract from any rights that may have accrued as a result of the decision
84(1)(b) MFMA	Making an assessment of the impact of the shifting of a function or service to a municipal entity on the Municipality's staff, assets and liabilities when considering the establishment of, or participation in, a municipal entity	Accounting Officer	CFO		
84(2)(a)(i) (aa) MFMA	Publishing an information statement regarding the Municipality's intention to establish and/or participate in a municipal entity	Accounting Officer	CFO		
84(2)(a)(i) MFMA	Soliciting the views and recommendations of the National Treasury and the provincial treasury, the national and provincial departments responsible for local government and the MEC responsible for local government in respect of the Municipality's intention to establish and/or participate in a municipal entity	Accounting Officer	CFO		
86(2) MFMA	Submitting the information received from a municipal entity of which the Municipality is the parent municipality regarding the entity's bank account(s) to the Auditor-General, the National Treasury and the provincial treasury	Accounting Officer	CFO		
87(11) MFMA	Receiving a monthly statement in the prescribed format on the state of the budget of a municipal entity of which the Municipality is the parent municipality	Accounting Officer	CFO		
101(2) MFMA	Tabling a report of the accounting officer of a municipal entity of which the Municipality is the parent municipality on any financial problems of the entity in the first Council meeting next ensuing	Accounting Officer	CFO		
102 MSA	The consolidation of separate accounts of persons liable for payments to the municipality, to credit a payment by such person against any account of that person and to implement	Accounting Officer	CFO	Manager : Income	



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SECTION IN ACT	CHAPTER 6: POWERS OF STRATEGIC EXECUTIVES (INCLUDING THE CFO & COO): CFO POWERS DELEGATED BY THE ACCOUNTING OFFICER	DELEGATING AUTHORITY	DELEGATED BODY	SUB DELEGATION	CONDITIONS
	any of the debt collection and credit control measures of the municipality to any arrears on any of the accounts				
102(1) MFMA	Receiving a report of the board of Managers of a municipal entity of which the Municipality is the parent municipality any irregular expenditure or any fruitless and wasteful expenditure incurred by, or on behalf of, that municipal entity	Accounting Officer	CFO		
120(6)(a) MFMA	Submitting the report on the feasibility study together with all other relevant documents to the Council for a decision, in principle, on whether the municipality should continue with the proposed public-private partnership	Accounting Officer	CFO		
121(2)(e) MFMA	Performing an assessment of any arrears on municipal taxes and service charges for inclusion in the Municipality's annual report	Accounting Officer	CFO		
121(2)(f) MFMA	Performing an assessment of the Municipality's performance against the measurable performance objectives referred to in section 17(3)(b) of the MFMA for revenue collection from each revenue source and for each vote in the Municipality's approved budget for the relevant financial year for inclusion in the Municipality's annual report	Accounting Officer	CFO		
122(1) MFMA 126(1)(a) MFMA	Preparing annual financial statements which fairly presents the state of affairs of the Municipality, its performance against its budget, its management of revenue, expenditure, assets and liabilities, its business activities, its financial results, and its financial position as at the end of the financial year	Accounting Officer	CFO	Manager : Budget & Treasury	
122(1) MFMA 126(1)(b) MFMA	Preparing consolidated annual financial statements of the Municipality and of a municipal entity over which the Municipality has sole control or over which it has effective control within the meaning of the Municipal Systems Act of a municipal entity which is a private company	Accounting Officer	CFO		
126(1)(a) MFMA	Submitting the annual financial statements of the Municipality to the Auditor-General on or before 31 August of each year	Accounting Officer	CFO		
126(6)(b) MFMA	Making the particulars of the proposed public-private partnership, including the report on the feasibility study and	Accounting Officer	CFO		



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SECTION IN ACT	CHAPTER 6: POWERS OF STRATEGIC EXECUTIVES (INCLUDING THE CFO & COO): CFO POWERS DELEGATED BY THE ACCOUNTING OFFICER	DELEGATING AUTHORITY	DELEGATED BODY	SUB DELEGATION	CONDITIONS
	inviting the local community and other interested persons to submit to the Municipality comments or representations in respect of the proposed public-private partnership at least 60 days prior to the meeting of the Council at which the matter is to be considered				
126(6)(c) MFMA	Soliciting the views and recommendations of the National Treasury, the national department responsible for local government, the responsible national department if the proposed public-private partnership involves the provision of water, sanitation, electricity or any other service as may be prescribed and any other national or provincial organ of state as may be prescribed in respect of the proposed public-private partnership at least 60 days prior to the meeting of the Council at which the matter is to be considered	Accounting Officer	CFO		
127(5)(b) MFMA	Submitting the annual report to the Auditor-General, the provincial treasury and the provincial department responsible for local government	Accounting Officer	CFO		In consultation with Accounting Officer
128 MFMA	Monitoring whether the accounting officer of any municipal entity under the sole or shared control of the Municipality has complied with sections 121(1) and 126(2) of the MFMA, establish the reasons for any non-compliance and report any non-compliance, together with the reasons for such non-compliance, to the Council, the provincial treasury and the Auditor-General	Accounting Officer	CFO		
129(2)(a) MFMA	Attending the meetings of the Council and its committees where the annual report is discussed and responding to questions concerning the report	Accounting Officer	CFO		
129(3) MFMA	Publishing the oversight report regarding the annual report	Accounting Officer	COO		
132(2) MFMA	Submission of the Municipality's annual report and oversight report and the annual report and oversight report of a municipal entity under the Municipality's sole or shared control to the provincial legislature	Accounting Officer	COO		
146(1)(c) MFMA	Reporting monthly to the MEC responsible for finance on the implementation of a financial recovery plan for the Municipality	Accounting Officer	CFO		



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DELEGATION OF POWERS POLICY**

SECTION IN ACT	CHAPTER 6: POWERS OF STRATEGIC EXECUTIVES (INCLUDING THE CFO & COO): CFO POWERS DELEGATED BY THE ACCOUNTING OFFICER	DELEGATING AUTHORITY	DELEGATED BODY	SUB DELEGATION	CONDITIONS
	resulting from a mandatory provincial intervention				
152(2) MFMA	Giving notice of an application by the Municipality to the High Court for an order to stay all legal proceedings, including the execution of legal process, to persons claiming money from the Municipality if the Municipality is unable to meet its financial commitments	Accounting Officer	CFO		
153(1)(b) MFMA	Bringing an application in the High Court for an order to terminate the Municipality's financial obligations to creditors, and to settle claims in accordance with a distribution scheme referred to in section 155 of the MFMA	Accounting Officer	CFO		
167(2)(a) MFMA	Recovering any amount paid or given in cash or in kind to a person as a political office-bearer or as a member of a political structure of the Municipality otherwise than in accordance with the framework of the Public Office-Bearers Act, 1998 (Act No. 20 of 1998), including any bonus, bursary, loan, advance or other benefit	Accounting Officer	CFO		
75A(3) MSA 14(1) MPRA	To publish the resolutions of Council in respect of the levying of rates and the recovery of fees, charges or tariffs	Accounting Officer	CFO		



**MERAFONG CITY LOCAL MUNICIPALITY
DELEGATION OF POWERS POLICY**

4. SE Support Services powers delegated by the Accounting Officer

The powers set out hereunder are delegated by the Accounting Officer to the Chief Operational Officer

SECTION IN ACT	CHAPTER 6: POWERS OF STRATEGIC EXECUTIVES SE SUPPORT SERVICES POWERS DELEGATED BY THE ACCOUNTING OFFICER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
	To approve the attendance by officials in the Office of the Accounting Officer of meetings, workshops, seminars, conferences, congresses and similar events and special visits which are in the interest of the Council and which are to be conducted within the boundaries of the Republic of South Africa : Provided that the necessary funds are available	Accounting Officer	SE Support Services	
	To sign the following documents – (a) documents to commence with any legal process, whether criminal or civil, on behalf of the Council and to defend or oppose any legal process, whether criminal or civil, against the Council; (b) documents necessary to submit or oppose an appeal to a higher court or other body in respect of a judgement given by a lower court or body concerned	Accounting Officer	SE Support Services	
	To designate employees in the office of the Accounting Officer as Health and Safety Representatives or Employer's Nominees, and to institute Safety Committees for his directorate in terms of the provisions of the Safety Act	Accounting Officer	SE Support Services	
55(1) MSA	The implementation of the municipality's integrated development plan, and the monitoring of progress with implementation of the plan	Accounting Officer	SE Support Services	
55(1) MSA	The management of the provision of services to the local community in a sustainable and equitable manner	Accounting Officer	SE Support Services	
55(1) MSA	The administration and implementation of the municipality's by-laws and other legislation	Accounting Officer	SE Support Services	
55(1) MSA	The implementation of national and provincial legislation applicable to the municipality	Accounting Officer	SE Support Services	
55(1) MSA	Facilitating participation by the local community in the affairs of the municipality	Accounting Officer	SE Support Services	
55(1) MSA	Developing and maintaining a system whereby community satisfaction with municipal services is assessed	Accounting Officer	SE Support Services	
67(4) MSA	On written request by a staff member, to make a copy of or extract from the staff systems and procedures of the municipality, including any amendments,	Accounting Officer	SE Support Services	



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DELEGATION OF POWERS POLICY**

SECTION IN ACT	CHAPTER 6: POWERS OF STRATEGIC EXECUTIVES SE SUPPORT SERVICES POWERS DELEGATED BY THE ACCOUNTING OFFICER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
	available to that staff member			
67(4) MSA	To ensure that the purpose, contents and consequences of the staff systems and procedures of the municipality and the code of conduct for officials are explained to staff members who cannot read	Accounting Officer	SE Support Services	
	To grant special leave to employees who are sportsmen and women, coaches and referees/umpires, for the purpose of participation in sports events and tournaments at provincial and national level	Accounting Officer	SE Support Services	
22 MFMA	Making the annual budget as tabled public, inviting the community to submit representations in connection therewith and submitting same to the national and provincial treasuries and affected municipalities	Accounting Officer	SE Support Services	In accordance with Chapter 4 of the Systems Act. In consultation with the Accounting Officer and the CFO
62(1)(g)(iv) MFMA	Deciding the reasonable steps to be taken to ensure that the Municipality has and implements a supply chain management policy in accordance with Chapter 11 of the MFMA.	Accounting Officer	CFO	S 162 (1)(f)iii
68(b) MFMA	Making the administrative support, resources and information required by the Executive Mayor to perform the budgetary steps assigned to the Executive Mayor available to him/her	Accounting Officer	CFO	
69(3)(c) MFMA	Preparing and submitting, within 14 days after the approval of the Municipality's annual budget, drafts of the annual performance agreements as required in terms of section 57(l)(b) of the Municipal Systems Act for the Accounting Officer and Strategic Executives, Chief Operating Officer and all senior managers	Accounting Officer	Accounting Officer	An annual performance agreement must be concluded on or before 31 July of each year in terms of section 57(2)(a) of the Systems Act
72(1)(a) MFMA	Performing an assessment of the Municipality's performance during the first half of each financial year	Accounting Officer	COO and Manager IDP i CFO ii All SE's iii COO	In consultation with the Accounting Officer
72(1)(b) MFMA	Submitting the mid-year performance assessment report to the Executive Mayor, the National Treasury and the Provincial Treasury	Accounting Officer	CFO	On or before 25 January each year. In consultation with the Accounting Officer
75(1) MFMA	Ensuring that the required documents are loaded and available on, the Municipality's website within five days after its tabling in the Council or on the date on which it must be made public, whichever occurs first.	Accounting Officer	COO & Corporate Communications	
79(1)(a) MFMA	Developing an appropriate system of delegation that will both maximize administrative and operational efficiency and provide adequate checks and balances in the Municipality's financial administration for the proper application	Accounting Officer	SE's	In Conjunction with SE Support Services

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SECTION IN ACT	SE SUPPORT SERVICES POWERS DELEGATED BY THE ACCOUNTING OFFICER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
84(2)(a)(i) (bb) MFMA	Inviting the local community, organized labour and other interested persons to submit comments or representations in respect of the Municipality's intention to establish and/or participate in a municipal entity	Accounting Officer	SE Support Services	In consultation with Accounting Officer
111, 115(1)(a) MFMA	Develop and implement the Municipality's supply chain management policy.	Accounting Officer	CFO	
116(3)(a) MFMA	Tabling the reasons for the proposed amendment of a contract or agreement procured through the supply chain management policy of a municipal entity of which the Municipality is a parent municipality in the Council	Accounting Officer	SE Support Services	
116(3)(b) MFMA	Giving the local community reasonable notice of the intention to amend a contract or agreement procured through the supply chain management policy of the Municipality and inviting the local community to submit representations to the Municipality	Accounting Officer	SE Support Services	
128(1)(a) MFMA	Submitting the annual financial statements of the Municipality to the Auditor-General on or before 31 August of each year	Accounting Officer	CFO	
129(2)(b) MFMA	Submitting copies of the minutes of meetings of the Council and its committees where the annual report was discussed to the Auditor-General, the provincial treasury and the provincial department responsible for local government	Accounting Officer	SE Support Services	